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POULTRY PROCESSING PRODUCTS

Proposed Performance and Pretreatment Standards

ENVIRONMENTAL PROTECTION AGENCY

[40 CFR Part 432]

[FRL 361-5]

POULTRY PROCESSING PRODUCTS POINT SOURCE CATEGORY

Effluent Limitations and Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources

Notice is hereby given that effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources set forth in tentative form below are proposed by the Environmental Protection Agency (EPA). On February 28, 1974, EPA promulgated a regulation adding Part 432 to Chapter 40 of the Code of Federal Regulations (39 FR 7894). That regulation established effluent limitations and guidelines for existing sources and standards of performance and pretreatment standards for new sources for the meat products point source category. The regulation proposed below will amend 40 CFR Part 432—Meat Products Point Source Category by adding thereto the chicken processor subcategory (Subpart K), turkey processor subcategory (Subpart L), fowl processor subcategory (Subpart M), duck processor subcategory (Subpart N), and the further processing subcategory (Subpart O) pursuant to sections 301, 304 (b) and (c), 306(b) and 307(c) of the Federal Water Pollution Control Act as amended 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316(b) and 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500; (the Act).

(a) Legal authority. (1) Existing point sources.

Section 301(b) of the Act requires the achievement by not later than July 1, 1977, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of the best practicable control technology currently available as defined by the Administrator pursuant to section 304(b) of the Act. Section 301(b) also requires the achievement by not later than July 1, 1983, of effluent limitations for point sources, other than publicly owned treatment works, which require the application of best available technology economically achievable which will result in reasonable further progress toward the national goal of eliminating the discharge of all pollutants, as determined in accordance with regulations issued by the Administrator pursuant to section 304(b) to the Act.

Section 304(b) of the Act requires the Administrator to publish regulations providing guidelines for effluent limitations setting forth the degree of effluent reduction attainable through the application of the best practicable control technology currently available and the degree of effluent reduction attainable through the application of the best control measures and practices achievable including treatment techniques, process and procedure innovations, operating methods and other alternatives. The regulation proposed herein sets forth effluent limitations and guidelines, pursuant to sections 301 and 304(b) of the Act, for the chicken processor subcategory (Subpart K), turkey processor subcategory (Subpart L), fowl processor subcategory (Subpart M), duck processor subcategory (Subpart N), and the further processing subcategory (Subpart O) of the meat products point source category.

(2) New sources. Section 306 of the Act requires the achievement by new sources of a Federal standard of performance providing for the control of the discharge of pollutants which reflects the greatest degree of effluent reduction which the Administrator determines to be achievable through application of the best available demonstrated control technology, processes, operating methods, or other alternatives, including, where practicable, a standard permitting no discharge of pollutants.

Section 306(b)(1)(B) of the Act requires the Administrator to propose regulations establishing Federal standards of performance for categories of new sources included in a list published pursuant to section 306(b)(1)(A) of the Act. The Administrator published in the FEDERAL REGISTER of January 16, 1973, (38 FR 1624) a list of 27 source categories, including the meat products category. The regulations proposed herein set forth the standards of performance applicable to new sources for the chicken processor subcategory (Subpart K), turkey processor subcategory (Subpart L), fowl processor subcategory (Subpart M), duck processor subcategory (Subpart N), and the further processing subcategory (Subpart O) of the meat products point source category.

Section 307(c) of the Act requires the Administrator to promulgate pretreatment standards for new sources at the same time that standards of performance for new sources are promulgated pursuant to section 306. Sections 432.116, 432.126, 432.136, 432.146, and 432.156, proposed below, provide pretreatment standards for new sources within the chicken processor subcategory (Subpart K), turkey processor subcategory (Subpart L), fowl processor subcategory (Subpart M), duck processor subcategory (Subpart N), and the further processing subcategory (Subpart O) of the meat products point source category.

Section 304(c) of the Act requires the Administrator to issue to the States and appropriate water pollution control agencies information on the processes, procedures or operating methods which result in the elimination or reduction of the discharge of pollutants to implement standards of performance under section 306 of the Act. The report or "Development Document" referred to below provides, pursuant to section 304(c) of the Act, information on such processes, procedures or operating methods.

(b) Summary and Basis of Proposed Effluent Limitations Guidelines for Existing Sources and Standards of Performance and Pretreatment Standards for New Sources.

(1) General methodology. The effluent limitations, guidelines and standards of performance proposed herein were developed in the following manner. The point source category was first studied for the purpose of determining whether separate limitations and standards are appropriate for different segments within the category. This analysis included a determination of whether differences in raw material used, product produced, manufacturing process employed, age, size, waste water constituents and other factors require development of separate limitations and standards for different segments of the point source category. The raw waste characteristics for each such segment were then identified. This included an analysis of the source, flow and volume of water used in the process employed, the sources of waste and waste waters in the operation and the constituents of all waste water. The constituents of the waste waters which should be subject to effluent limitations and standards of performance were identified.

The control and treatment technologies existing within each segment were identified. This included an identification of each distinct control and treatment technology, including both in-plant and end-of-process technologies, which are existent or capable of being designed for each segment. It also included an identification of, in terms of the amount of constituents and the chemical, physical, and biological characteristics of pollutants, the effluent level resulting from the application of each of the technologies. The problems, limitations and reliability of each treatment and control technology were also identified. In addition, the non-water quality environmental impact, such as the effects of the application of such technologies upon other pollution problems, including air, solid waste, noise and radiation were identified. The energy requirements of each control and treatment technology were determined as well as the cost of the application of such technologies.

The information, as outlined above, was then evaluated in order to determine what levels of technology constitute the "best practicable control technology currently available," "best available technology economically achieveable" and the "best available demonstrated control technology, processes, operating methods, or other alternatives." In identifying such technologies, various factors were considered. These included the total cost of application of technology in relation to the effluent reduction benefits to be achieved from such application, the age of equipment and facilities involved, the process employed, the engineering aspects of the application of various types of control techniques, process changes, non-water quality environmental impact (including energy requirements) and other factors.

The data upon which the above analysis was performed included EPA permit applications, EPA sampling and inspections, consultant reports, and industry submissions.

The pretreatment standards proposed herein are intended to be complementary to the pretreatment standards proposed for existing sources under 40 CFR Part 128. The basis for such standards is set forth in the FEDERAL REGISTER of July 19, 1973, 38 FR 19236. The provisions of Part 128 are equally applicable to sources which would constitute "new sources," under section 306 if they were to discharge pollutants directly to navigable waters, except for § 128.133. That section provides a pretreatment standard for "incompatible pollutants" which requires application of the "best practicable control technology currently available," subject to an adjustment for amounts of pollutants removed by the publicly owned treatment works. Since the pretreatment standards proposed herein apply to new sources, § 432.116, § 128.133 to specify the application of the standard of performance for new sources rather than the "best practicable" standard applicable to existing sources under sections 301 and 304(b) of the Act.

(2) Summary of conclusions with respect to the chicken processor subcategory (Subpart K), turkey processor subcategory (Subpart N), fowl processor subcategory (Subpart M), duck processor subcategory (Subpart N), and the further processing subcategory (Subpart O) of the meat products point source category.

(i) Categorization. As is discussed in detail in the Development Document cited below, these segments of the meat products industry were derived following analyses of a number of factors. Among these factors were type of raw material, waste water characteristics, final product, production process, and age and size of plants. The five subcategories discussed herein as a group represent those operations which process poultry products and (except for further processing only plants) slaughter animals at the site. Any given plant will thus be accomplishing the dressing, processing or rendering of poultry products or by-products in a manner related to these procedures at a slaughterhouse or packinghouse where livestock are slaughtered.

With regard to the factors for consideration in deriving subcategories, the various poultry processing plants may be discretely segmented on the basis of differences in raw waste water characteristics due to a combination of differences in finished products, manufacturing processes and raw material. Analyses with respect to the factors of treatability of wastes, size, age, and location of plants substantiated the selected subcategories. Accordingly, the poultry processor segment of the meat products industry was subcategorized as follows: (1) Chicken processor (Subpart K), (2) turkey processor (Subpart L), (3) fowl processor (Subpart M), (4) duck processor (Subpart N), and further processing (Subpart O). The nomenclature of each of the subcategories is reasonably mutually exclusive. It is important to recognize, however, that for each of the first four subcategories, plants may accomplish a range of activities from slaughtered and dressed "ice pack" products to cut, breaded and packaged products. By-product rendering may also be accomplished at these plants. Plants performing so-called "further processing" do not slaughter or dress poultry; rather the final products are any of a number of cut, ground, chopped, breaded, frozen and packaged items using any poultry type slaughtered at some other plant.

(ii) Waste characteristics. Regardless of distinct differences in source as discussed below, raw waste waters from all subcategories are readily amenable to measurement and characterization by the pollutant parameters, biochemical oxygen demand, suspended solids, oil and grease, nutrients and coliform bacteria. As may be expected, these parameters are the same as those used to describe wastes from slaughterhouses, packinghouses, meat processors, and renderers. Because of the protein, processing materials and bone substances in the source materials, raw waste waters also contain various forms of nitrogen and phosphorus and dissolved solids. The data did not reveal the presence of heavy metals in the raw wastes from poultry processors.

(iii) Origin of waste water pollutants. Raw waste water discharges from each of the subcategories contain meat and product residues, animal fats, and other residues normally discharged as a part of process or plant cleanup. As would be expected for those plants which slaughter, it is the slaughtering and evisceration activity which contributes most of the raw waste load due to blood and offal drainage. The number and type of additional product or by-product production processes also contribute, but to a lesser extent. The variety of processes practiced at further processing plants each contribute to waste water discharges (e.g. cooking, breading, grinding, and stuffing).

(iv) Treatment and control technology. Waste water treatment and control technologies have been studied for each subcategory of the industry to determine what is (a) the best practicable control technology currently available, (b) the best available technology economically achievable, and (c) the best available demonstrated control technology, processes, operating methods or other alternatives.

Specific technology currently being utilized by plants in all subcategories involves materials recovery (usually part of in-process primary treatment to recover useable by-product grease or solids) and biological treatment and control concepts. The treatment systems range from simple anaerobic-aerobic lagoon operations through an array of mechanically aerated modifications to the simple lagoons including activated sludge with extended aeration and final clarification. This range of technology was evaluated and the performance of all concepts was found to be resulting in high quality effluents. Best practicable control technology currently available (BPCTCA) has been rather clearly documented as biological treatment and for several plants this treatment mode is already meeting the limitations. The various subcategories of poultry processing plants include treatment using at least anaerobic-aerobic lagoons. More capital intensive biological systems such as activated sludge treatment would achieve the same or better performance, and would thus be an additional alternative within BPCTCA. Those plants not meeting the limitations are estimated to require modifications to existing facilities in the form of additional anaerobic lagoons or equivalent (i.e. modifications such as mechanical aeration or additional aerobic treatment). For example, some plants have treatment using aerated-aerobic lagoons but overall performance of the treatment at these plants is well below accepted norms for this treatment system (about 70 percent efficiency in BOD removal compared with 90 percent for well designed and operated facilities). In this case, the addition of an anaerobic chamber may be reasonably expected to upgrade overall treatment efficiencies to required levels.

Best available technology economically achievable (BATEA) is substantially the same for all subcategories. Principal modifications to BPCTCA to achieve BATEA are in treatment and controls to remove the nutrient parameters phosphorus and ammonia. Further significant reductions in organic load and suspended solids would also be required. The nutrient controls are not now being practiced by plants in the subcategories; rather, the technology is defined on the basis of substantial experience on municipal wastes (filtration and nitrification), and reasonably well documented success using other specific treatment processes such as microstrainers, and ammonia control by stripping or ion exchange. Reductions in the organic load (expressed as BOD) and suspended solids are commensurate with levels at or near to reductions already achieved by several plants in the industry segments discussed herein and are further in accord with data on performance for some plants in the red meat processing, processor, and renderer segments of the meat products industry.

With the exception of requirements to control ammonia in the various subcategories, technology for new source performance standards (NSPS) is the same as that described for BPCTCA for all subcategories. The biological treatment systems for the best plants are already achieving the ammonia levels required; the addition of refined ammonia control systems would not appear to be necessary. The addition of mechanical aeration with controlled sludge return to an otherwise total lagoon system is one possible course of action.

(v) Cost estimates for control of waste water pollutants. Total investment cost to the plants within all subcategories for achieving limitations for best practicable control technology currently available is estimated to be about $17.6 million. Costs per individual plant for the types of treatment modifications described above will range from less than $112,000 for small (24,000 birds per day) chicken processor to $185,000 for large plants in

any subcategory. Such costs are to be considered incremental to previous outlays since no information is available to indicate that any plants are discharging raw wastes; rather, all plants that are discharging have some type of treatment in place. Thus, the per-plant costs reflect estimates of capital expenses required to improve these existing facilities. In some cases this cost will be effectively zero since housekeeping and operational improvements may resolve any difficulty without capital expenditures.

(vi) Energy requirements and non-water quality environmental impacts. Incremental increases in total energy consumption for meeting BPCTCA is estimated to be about 1.1 percent of normal energy consumption for poultry processing plants.

Any sludges requiring ultimate disposal in landfills would be compatible organic nutrient sources, and readily managed. Odor problems of any significance could not be identified.

The proper management of solid wastes resulting from pollution control systems must be practiced. Pollution control technologies generate many different amounts and types of solid wastes and liquid concentrates through the removal of pollutants. These substances vary greatly in their chemical and physical composition and may be either hazardous or non-hazardous. A variety of techniques may be employed to dispose of these substances depending on the degree of hazard.

If thermal processing (incineration) is the choice for disposal, provisions must be made to ensure against entry of hazardous pollutants into the atmosphere. Consideration should also be given to recovery of materials of value in the wastes.

For those waste materials considered to be non-hazardous where land disposal is the choice for disposal, practices similar to proper sanitary landfill technology may be followed. The principles set forth in the EPA's Land Disposal of Solid Wastes Guidelines 40 CFR Part 241 may be used as guidance for acceptable land disposal techniques.

For those waste materials considered to be hazardous, disposal will require special precautions. In order to ensure long-term protection of public health and the environment, special preparation and pretreatment may be required prior to disposal. If land disposal is to be practiced, these sites must not allow movement of pollutants to either ground or surface waters. Sites should be selected that have natural soil and geological conditions to prevent such contamination or, if such conditions do not exist, artificial means (e.g. liners) must be provided to ensure long-term protection of the environment from hazardous materials. Where appropriate, the location of solid hazardous materials disposal sites should be permanently recorded in the appropriate office of the legal jurisdiction in which the site is located.

(vii) Economic impact analysis. Pollution control costs to the poultry processing segment amount to about 20.0 percent of the average annual capital expenditures (about $60.0 million) for the period 1970–72. Additional operating costs will amount to about 1.0 cent per bird for chicken, turkey, and fowl processers and about 3.0 cents per bird for duck processors. Plants in the further processor subcategory will encounter operating expenditures of less than 0.2 cents per pound of finished product. With specific regard to economic impact, the level of capital expenditures required to meet BPCTCA is estimated to cause about 27 (small and very small) plants to close at a loss of 3.0 percent of the industry production.

The analysis incorporated estimates to overcome difficulties encountered in analyzing multi-species plants and vertically integrated companies (i.e., those with both poultry growing and processing operations). Both a lack of specific data and inconsistencies in available information lead to the necessity to deal with plants as essentially discrete, single bird operations. However, additional information on these operations is requested to assist the Agency in verifying projections regarding both multi-species and integrated plants.

Executive Order 11821 (November 27, 1974) requires that major proposals for legislation and promulgation of regulations and rules by Agencies of the executive branch be accompanied by a statement certifying that the inflationary impact of the proposal has been evaluated.

OMB Circular A–107 (January 28, 1975) prescribes guidelines for the identification and evaluation of major proposals requiring preparation of inflationary impact certifications. The circular provides that during the interim period prior to final approval by OMB of criteria developed by each Agency, the Administrator is responsible for identifying those regulations which require evaluation and certification. The Administrator has directed that all regulatory actions which are likely to result in capital investment exceeding $100 million or annualized costs in excess of $50 million will require certification.

As the Agency's analysis of the potential economic impacts of these regulations indicates, the capital investment and annualized costs associated with compliance are estimated to be (considerably) less than these amounts. Nevertheless, the Agency has reviewed and identified the projected effect on prices of poultry product processors and estimates that the increase will range between 0.1 and 1.0 percent for BPT and 0.5 and 1.5 percent for BAT.

The supplementary report entitled "Economic Analysis of Proposed Effluent Guidelines POULTRY PROCESSING INDUSTRY" contains estimates of the cost of pollution control requirements and an analysis of the possible effects of the proposed regulation on prices, production levels, employment, communities in which meat processing or rendering plants are located, and international trade. In addition, the Development Document describes, in section VIII, the cost and energy consumption implications of the proposed regulations.

The report entitled "Development Document for Proposed Effluent Limitations Guidelines and New Source Performance Standards for the Poultry Processor Segment of the Meat Products Point Source Category" details the analysis undertaken in support of the regulation being proposed herein and is available for inspection in the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, Washington, D.C., at all EPA regional offices, and at State water pollution control offices. Copies of this document are being sent to persons or institutions affected by the proposed regulation, or who have placed themselves on a mailing list for this purpose (see EPA's Advance Notice of Public Review Procedures, 38 FR 21202, August 6, 1973). Supplementary analyses prepared for EPA of the possible economic effects of the proposed regulation are also available for inspection at these locations. An additional limited number of copies of all reports are available. Persons wishing to obtain a copy may write the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown, A–107.

When this regulation is promulgated, revised copies of the Development Document will be available from the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402. Copies of the Economic Analysis will be available through the National Technical Information Service, Springfield, Virginia, 22151.

(c) Summary of public participation. Prior to this publication, the agencies and groups listed below were consulted and given an opportunity to participate in the development of effluent limitations, guidelines and standards proposed for the meat products point source category. All participating agencies have been informed of project developments. Initial drafts of the Development Documents were sent to all participants and comments were solicited on those reports. The following are the principal agencies and groups consulted: (1) Effluent Standards and Water Quality Information Advisory Committee (established under section 515 of the Act); (2) all State and U.S. Territory Pollution Control Agencies; (3) other public agencies, interest groups, and associations: Ohio River Valley Sanitation Commission; Delaware River Basin Commission; U.S. Department of the Interior; U.S. Department of Commerce; U.S. Department of Health, Education, and Welfare; Water Resources Council; U.S. Department of Agriculture; The Conservation Foundation; Environmental Defense Fund, Inc.; Natural Resources Defense Council; American Society of Civil Engineers; Water Pollution Control Federation; National Wildlife Federation; American Institute of Chemical Engineers; National Broiler Council; Long Island Duck Farmers Cooperative; Southeastern Poultry and Egg Association; Institute of American Poultry Industries; Poppy Food Company, and Valchris, Inc.

The following responded with comments: Effluent Standards and Water

Quality Information Advisory Committee; State of Maine; State of Michigan; State of Texas; Water Resources Council; State of Delaware; State of Minnesota; State of North Carolina; State of Georgia; U.S. Department of the Interior; Rockingham Poultry; National Broiler Council; Cornell University; Long Island Duck Farmers Cooperative; Southeastern Poultry and Egg Institute; Poultry and Egg Institute of America; Swift and Company; U.S. Department of Health, Education, and Welfare; U.S. Department of Agriculture; and Delaware River Basin Commission.

The primary issues raised in the development of the proposed effluent limitations guidelines and standards of performance and the treatment of these issues herein are as follows:

(1) A number of commenters expressed concern about apparent inconsistencies between the guidelines and water quality standards, e.g., grease limitations reflecting concentrations below those found in stream standards or nutrient limitations reflecting concentrations higher than stream standards.

This issue is the same as has been raised in response to nearly all previously proposed or promulgated effluent regulations. Sections 301, 304(b), and 306 of the Federal Water Pollution Control Act clearly require effluent standards to be based primarily upon technological capability independent of considerations of effects of pollutants on ambient water quality. These technology based standards comprise the minimal level of effluent reduction permissible. If more stringent levels of control must be instituted to comply with water quality standards in particular locations, section 301(b)(1)(C) requires that these levels be achieved.

(2) A number of commenters contended that analytical test results were so highly variable that it would not be possible to set effluent limitations at a single level.

The Agency agrees that variation in analytical test results can occur, particularly between different laboratories, between concurrent samples or between split portions of the same sample. However, extensive experience throughout the Agency shows that as long as strict analytical and quality control procedures are followed from the point of actual sampling through to the final test results, any variation in test results will fall within acceptable statistical error for a given pollutant. Moreover, under conditions reflecting proper test procedures, any such errors clearly average out over time so that there is a high degree of confidence that true or actual values are represented. It is precisely because of the variability inherent in both the performance of waste water control facilities and pollutant testing that effluent limitations are expressed as an average for any period of 30 consecutive days. Over this time frame any normal analytical test variability can be expected to have no significant effect particularly for well designed and operated waste water treatment facilities. And by establishing the maximum discharge allowable for any given day as double the 30 day average, the Agency has accounted for the variability in performance of treatment systems and the analytical procedures.

(3) While most of the comments which addressed the subject of costs showed general agreement with the level of the estimates provided in the draft Development Document, there was concern that costs were excessive for BATEA limitations.

A number of poultry processing plants are already achieving substantial reductions in one or more of the nutrient parameters by a combination of in-plant controls and waste water treatment. Nevertheless, the Agency agrees that costs for nutrient controls are quite high and that there is some uncertainty as to the necessary technology for nitrate removal even though advances in denitrification concepts have been dramatic. Moreover, at least some of the raw waste loads of these pollutants are being removed incidental to efficient biological treatment.

With respect to ammonia, however, the Agency believes that the parameter should be among those with a specific limitation. In addition to air stripping methods, refinements in biological treatment by adding aeration with controlled sludge recycle or other steps to enhance nitrification of ammonia will make it likely that ammonia limits can be met at reasonable expense.

In view of the above, limitations for nitrates, Kjeldahl nitrogen and phosphorus have been deleted for the present time; ammonia limitations have been retained. The Agency's efforts to obtain additional reliable information on the subject of denitrification with respect to poultry processors and other segments of the meat industry will continue.

(4) Several comments referred to apparent inconsistencies among statistics on the number of plants in the industry particularly between those reported in the Development Document and those presented in the economic impact analysis.

The statistics in question have been reviewed in detail, but the apparent inconsistency has not been fully resolved. Insofar as total production is concerned, it is clear that the industry and other sources have provided the Agency with data on operations representing over 55% of the total poultry production in 1973. As a consequence, it appears that a high reliability exists in descriptions of processes, water use, waste loads, and treatment capabilities. On the other hand, differing methods of reporting and grouping by major data sources (U.S. Departments of Commerce and Agriculture) make it difficult to ascertain, for example, whether a "poultry processor" is a plant in SIC code 2016 or 2017 (poultry dressing or poultry processing respectively) or in SIC 2038 (frozen specialties). Moreover, the specific plant data reported by the industry trade associations seems to more clearly portray current actual conditions, but extrapolation of the industry data leads to some differences with other statistical sources. The Agency encourages the submission of any suggestions or additional information on this question.

(5) The comment was made that most duck processors are integrated with feedlots and may have a common waste water control system which may require different consideration from a non-integrated facility. As is discussed in the Development Document, available data indicates that many of the duck processors are directly associated with an onsite feedlot, and that waste water controls provided for the feedlot are also utilized for the processing waste water. The Agency has carefully considered the relationship between effluent limitations as proposed herein and those promulated for duck feedlots (40 CFR Part 412, Subpart B, 39 FR 5704). It appears that the circumstances of several duck processors associated with feedlots are somewhat different from processors operating alone. As a result, it is apparent that any effluent restrictions should be so derived to properly account for waste load contributions from both the feedlot and the processor. While the small number of operations does not appear to warrant a specific separate regulation or new subcategory for the few operations affected, the Agency has concluded that the effluent limitation for a combined feedlot/processor should be developed on an additive basis. Thus, in the event that waste streams from the feedlot and processor are combined for treatment or discharge, the quantity of each pollutant or pollutant property controlled for each separate component or waste source shall not exceed the specified limitation for that waste source. For parameters regulated by only one of the potentially applicable regulations, the ultimate limitation should be derived on a flow-proportioned basis. For example, the pollutant "total suspended solids" is not controlled by an effluent limit for a duck feedlot, but is specified for a duck processor. In this instance, the portion (determined by respective flow volumes) of suspended solids attributable to the processor in the combined effluent must not exceed the limitation specified for a duck processor in §§ 432.140 through 432.146 below.

These concepts apply to the effluent limitations developed for BPCTCA, BATEA, and NSPS. Note that the feedlot component of a combined facility must achieve "no discharge of pollutants" (except for overflows due to excessive rainfall as specified) under BATEA and NSPS; as a result, the effluent limit for an integrated facility will be identical to that for the non-integrated facility. In each case, the normal discharge would be due to the processing facility only.

(6) The objection has been raised that the extent of vertical integration within the poultry processing industry renders the economic impact analysis independable and misleading. Specifically, it has been pointed out that: (a) The profitability calculations for sample firms are based on live poultry prices, which the commentor asserts are artificial and are only accounting transfer costs—not free

market prices, and (b) profits are meaningful only within the context of the entire integrated firm and not on a plant or department basis.

Research has indicated that many integrated companies do know, within a reasonable degree of accuracy, how much profit is derived from each segment of the integrated operation. Moreover a significant percentage of poultry processing is handled by non-integrated firms, for which the live poultry prices are not artificial. The financial profiles for typical plants, developed for the economic impact analysis, were checked against financial data for non-integrated firms. Discussions with a number of plant managers of integrated and non-integrated firms indicated that the assumptions and the conclusions of the analysis were both reasonable and accurate.

Interested persons are encouraged to submit written comments. Comments should be submitted in triplicate to the EPA Office of Public Affairs, Environmental Protection Agency, Washington, D.C. 20460, Attention: Ms. Ruth Brown, A-107. Comments on all aspects of the proposed regulation are solicited. In the event comments are in the nature of criticisms as to the adequacy of data which are available, or which may be relied upon by the Agency, comments should identify and, if possible, provide any additional data which may be available and should indicate why such data are essential to the development of the regulations. In the event comments address the approach taken by the Agency in establishing an effluent limitations guideline or standard of performance, EPA solicits suggestions as to what alternative approach should be taken and why and how this alternative better satisfies the detailed requirements of sections 301, 304(b), 306, and 307 of the Act.

A copy of all public comments will be available for inspection and copying at the EPA Freedom of Information Center, Room 204, West Tower, Waterside Mall, 401 M Street SW., Washington D.C. A copy of preliminary draft contractor reports, the Development Document and economic studies referred to above, and certain supplementary materials supporting the study of the industry concerned will also be maintained at this location for public review and copying. The EPA information regulation, 40 CFR Part 2, provides that a reasonable fee may be charged for copying.

All comments received by May 27, 1975 will be considered. Steps previously taken by the Environmental Protection Agency to facilitate public response within this time period are outlined in the advance notice concerning public review procedures published on August 6, 1973 (38 FR 21202). In consideration of the foregoing, 40 CFR Part 432 is hereby proposed to be amended as follows.

Dated: April 7, 1975.

JOHN QUARLES,
Acting Administrator.

PART 432—MEAT PRODUCTS POINT SOURCE CATEGORY

Subpart K—Chicken Processor Subcategory

Sec.
- 432.110 Applicability; description of the chicken processor subcategory.
- 432.111 Specialized definitions.
- 432.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 432.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 432.114 Reserved.
- 432.115 Standards of performance for new sources.
- 432.116 Pretreatment standards for new sources.

Subpart L—Turkey Processor Subcategory

- 432.120 Applicability; description of the turkey processor subcategory.
- 432.121 Specialized definitions.
- 432.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 432.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 432.124 Reserved.
- 432.125 Standards of performance for new sources.
- 432.126 Pretreatment standards for new sources.

Subpart M—Fowl Processor Subcategory

- 432.130 Applicability; description of the fowl processor subcategory.
- 432.131 Specialized definitions.
- 432.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 432.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 432.134 Reserved.
- 432.135 Standards of performance for new sources.
- 432.136 Pretreatment standards for new sources.

Subpart N—Duck Processor Subcategory

- 432.140 Applicability; description of the duck processor subcategory.
- 432.141 Specialized definitions.
- 432.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 432.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 432.144 Reserved.
- 432.145 Standards of performance for new sources.
- 432.146 Pretreatment standards for new sources.

Subpart O—Further Processing Subcategory

- 432.150 Applicability; description of the further processing subcategory.
- 432.151 Specialized definitions.
- 432.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.
- 432.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.
- 432.154 Reserved.
- 432.155 Standards of performance for new sources.
- 432.156 Pretreatment standards for new sources.

AUTHORITY: Secs. 301, 304 (b) and (c), 306 (b) and (c), 307(c), Federal Water Pollution Control Act, as amended; 33 U.S.C. 1251, 1311, 1314 (b) and (c), 1316 (b) and (c), 1317(c); 86 Stat. 816 et seq.; Pub. L. 92-500.

Subpart K—Chicken Processor Subcategory

§ 432.110 Applicability; description of the chicken processor subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of slaughtered and dressed chickens and any cutting, further processing or rendering also conducted at the same plant site by a chicken processor.

§ 432.111 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "chicken processor" shall mean an operation that produces primarily broilers or other young chickens dressed whole or cut up, fresh or frozen, and including any further processing into canned, breaded, or cooked products, or rendering of by-products.

(c) The term "LWK" (live weight killed) shall mean the total weight of the total number of birds slaughtered during the time to which the effluent limitations apply, i.e., during any one day or any period of thirty consecutive days.

(d) The term "raw material" or as abbreviated herein, "RM" shall mean the basic input materials to a rendering operation composed of poultry trimmings, bones, meat scraps, dead animals, feathers and related usable by-products.

(e) The term "finished product" or as abbreviated herein, "FP" shall mean the final manufactured product as cooked, canned, ground, chopped, diced, breaded, fresh or frozen poultry meat products.

§ 432.112 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials,

manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.092	0.46
TSS	1.24	0.62
Oil and grease	0.40	0.20
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml	
(English units) lb/1000 lb of LWK		
BOD5	0.92	0.46
TSS	1.24	0.62
Oil and grease	0.40	0.20
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.113 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.60	0.30
TSS	0.68	0.34
Oil and grease	0.40	0.20
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	0.60	0.30
TSS	0.68	0.34
Oil and grease	0.40	0.20
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
Milligrams per liter—effluent		
Ammonia	8.0	4.0

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.07}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.05}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.18}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.114 [Reserved]

§ 432.115 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties which may be discharged by a new source subject to the provisions of this subpart:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.92	0.46
TSS	1.24	0.62
Oil and grease	0.40	0.20
Ammonia	0.40	0.20
pH	Within the range 6.0 to 9.0.	
fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	0.92	0.46
TSS	1.24	0.62
Oil and grease	0.40	0.20
Ammonia	0.40	0.20
pH	Within the range 6.0 to 9.0.	
fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive

an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5\ \text{kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5\ \text{kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.116 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the chicken processor subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.-121, 128.122, 128.132, and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by point source subject to the provisions of this subpart.

Pollutant or pollutant property:	*Pretreatment standard*
BOD_5	No limitation.
TSS	Do.
Oil and grease	Do.
pH	Do.
Fecal coliform	Do.

Subpart L—Turkey Processor Subcategory

§ 432.120 Applicability; description of the turkey processor subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of slaughtered and dressed turkeys and any cutting, further processing or rendering also conducted seasonally or concurrently at the same site by a turkey processor.

§ 432.121 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "turkey processor" shall mean an operation which produces primarily dressed whole or cut up turkeys, fresh or frozen, and including any further processing into canned, breaded or cooked products or rendering of by-products.

(c) The term "LWK" (Live weight killed) shall mean the total weight of the total number of birds slaughtered during the time to which the effluent limitations apply, i.e., during any one day or any period of thirty consecutive days.

(d) The term "raw material" or as abbreviated herein, "RM" shall mean the basic input materials to a rendering operation composed of poultry trimmings, bones, meat scraps, dead animals, feathers and related usable by-products.

(e) The term "finished product" or as abbreviated herein, "FP" shall mean the final manufactured product as cooked, canned, ground, chopped, diced, breaded, fresh or frozen poultry meat products.

§ 432.122 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations. The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD_5	0.78	0.30
TSS	1.14	0.57
Oil and grease	0.28	0.14
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD_5	0.78	0.30
TSS	1.14	0.57
Oil and grease	0.28	0.14
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5\ \text{kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{l and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5\ \text{kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.123 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.42	0.21
TSS	0.48	0.24
Oil and grease	0.28	0.14
(English units) lb/1000 lb of LWK		
BOD5	0.42	0.21
TSS	0.48	0.24
Oil and grease	0.28	0.14
Milligrams per liter—effluent		
Ammonia	8.0	4.0
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.07}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.05}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.18}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.124 [Reserved]

§ 432.125 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.78	0.39
TSS	1.14	0.57
Oil and grease	0.28	0.14
Ammonia	0.28	0.14
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	0.78	0.39
TSS	1.14	0.57
Oil and grease	0.28	0.14
Ammonia	0.28	0.14
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.126 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the turkey processor subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128,122, 128.132, and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by point source subject to the provisions of this subpart.

Pollutant or pollutant property:	*Pretreatment standard*
BOD5	No limitation.
TSS	Do.
Oil and grease	Do.
pH	Do.
Fecal coliform	Do.

Subpart M—Fowl Processor Subcategory

§ 432.130 Applicability; description of the fowl processor subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of slaughtered and dressed whole or cut up mature chickens, layers, geese or capons and any further processing or rendering also conducted at the same plant site by a fowl processor.

§ 432.131 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "fowl processor" shall mean a plant that slaughters and dresses primarily mature chickens, geese or capons and produces whole or cut up fresh or frozen birds, and including any further processing into canned, breaded or cooked products or rendering of by-products.

(c) The term "LWK" (live weight killed) shall mean the total weight of the total number of birds slaughtered during the time to which the effluent limitations apply, i.e., during any one day or any period of thirty consecutive days.

(d) The term "raw material" or as abbreviated herein, "RM" shall mean the basic input materials to a rendering operation composed of poultry trimmings, bones, meat scraps, dead animals, feathers and related usable by-products.

(e) The term "finished product" or as abbreviated herein, "FP" shall mean the final manufactured product as cooked, canned, ground, chopped, diced, breaded, fresh or frozen poultry meat products.

§ 432.132 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to

such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	1.22	0.61
TSS	1.44	0.72
Oil and grease	0.30	0.15
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	1.22	0.61
TSS	1.44	0.72
Oil and grease	0.30	0.15
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.18}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.133 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically available.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.46	0.23
TSS	0.54	0.27
Oil and grease	0.15	0.15
(English units) lb/1000 lb of LWK		
BOD5	0.46	0.23
TSS	0.54	0.27
Oil and grease	0.15	0.15
Milligrams per liter—effluent		
Ammonia	8.0	4.0
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.07}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.05}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.18}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.134 [Reserved]

§ 432.135 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	1.22	0.61
TSS	1.44	0.72
Oil and grease	0.30	0.15
Ammonia	0.30	0.15
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	1.22	0.61
TSS	1.44	0.72
Oil and grease	0.30	0.15
Ammonia	0.30	0.15
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5 \text{ kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.136 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the fowl processor subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132 and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by point source subject to the provisions of this subpart.

Pollutant or pollutant property:	*Pretreatment standard*
BOD_5	No limitation.
TSS	Do.
Oil and grease	Do.
pH	Do.
Fecal coliform	Do.

Subpart N—Duck Processor Subcategory

§ 432.140 Applicability; description of the duck processor subcategory.

The provisions of this subpart are applicable to discharges resulting from the production of slaughtered and dressed ducks, whole or cut up, and any further processed products or rendered by-products by a duck processor.

§ 432.141 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below, the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "duck processor" shall mean an operation which slaughters and dresses ducks, whole or cut up, fresh or frozen and including any further processing into canned, breaded, or cooked products or rendering of by-products.

(c) The term "LWK" (live weight killed) shall mean the total weight of the total number of birds slaughtered during the time to which the effluent limitations apply, i.e., during any one day or any period of thirty consecutive days.

(d) The term "raw material" or as abbreviated herein, "RM" shall mean the basic input materials to a rendering operation composed of poultry trimmings, bones, meat scraps, dead animals, feathers and related usable by-products.

(e) The term "finished product" or as abbreviated herein, "FP" shall mean the final manufactured product as cooked, canned, ground, chopped, diced, breaded, fresh or frozen poultry meat products.

§ 432.142 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD_5	1.54	0.77
TSS	1.90	0.95
Oil and grease	0.53	0.26
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD_5	1.54	0.77
TSS	1.90	0.95
Oil and grease	0.52	0.26
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5 \text{ kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD}_5 \text{ kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.143 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	0.78	0.39
TSS	0.92	0.46
Oil and grease	0.52	0.26
(English units) lb/1000 lb of LWK		
BOD5	0.78	0.39
TSS	0.92	0.46
Oil and grease	0.52	0.26
Milligrams per liter—effluent		
Ammonia	8.0	4.0
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.07}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.05}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.18}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.144 [Reserved]

§ 432.145 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

(a) For a processor subject to the provisions of this subpart which does no by-product rendering or further processing as part of plant activities, the following limitations shall apply:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of LWK		
BOD5	1.54	0.77
TSS	1.80	0.90
Oil and grease	0.52	0.26
Ammonia	0.52	0.26
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of LWK		
BOD5	1.54	0.77
TSS	1.80	0.90
Oil and grease	0.52	0.26
Ammonia	0.52	0.26
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

(b) For a processor which does conduct by-product rendering, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.15}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.17}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg RM}} \times \frac{\text{kkg RM}}{\text{kkg LWK}}$$

(c) For a processor which does conduct further processing, the following formulae should be used to derive an additive adjustment to the effluent limitation set forth in paragraph (a) of this section for each parameter shown.

$$\text{BOD5 kg/kkg (lb/1000 lb) LWK} = \frac{0.30}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{TSS kg/kkg (lb/1000 lb) LWK} = \frac{0.35}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

$$\text{Oil and grease kg/kkg (lb/1000 lb) LWK} = \frac{0.10}{\text{kkg FP}} \times \frac{\text{kkg FP}}{\text{kkg LWK}}$$

§ 432.146 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the duck processor subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132, and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by point source subject to the provisions of this subpart.

Pollutant or pollutant property:	*Pretreatment standard*
BOD5	No limitation.
TSS	Do.
Oil and grease	Do.
pH	Do.
Fecal coliform	Do.

Subpart O—Further Processing Subcategory

§ 432.150 Applicability; description of the further processing subcategory.

The provisions of this subpart are applicable to discharges resulting from the manufacture of canned, breaded, ground, chopped, diced poultry products from purchased whole or cut carcasses of any poultry type by a further processing plant.

§ 432.151 Specialized definitions.

For the purpose of this subpart:

(a) Except as provided below the general definitions, abbreviations and methods of analysis set forth in 40 CFR Part 401 shall apply to this subpart.

(b) The term "further processing" shall mean an operation which utilizes purchased whole or cut up poultry for the production of cooked, canned, ground, chopped, diced, or breaded fresh or frozen products.

(c) The term "finished product" or as abbreviated herein, "FP" shall mean the final manufactured product as cooked, canned, ground, chopped, diced, breaded, fresh, or frozen poultry meat products.

§ 432.152 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best practicable control technology currently available.

In establishing the limitations set forth in this section, EPA took into account all information it was able to collect, develop and solicit with respect to factors (such as age and size of plant, raw materials, manufacturing processes, products produced, treatment technology available, energy requirements and costs) which can affect the industry subcategorization and effluent levels established. It is, however, possible that data which would affect these limitations have not been available and, as a result, these limitations should be adjusted for certain plants in this industry. An individual discharger or other interested person may submit evidence to the Regional Administrator (or to the State, if the State has the authority to issue NPDES permits) that factors relating to the equipment or facilities involved, the process applied, or other such factors related to such discharger are fundamentally different from the factors considered in the establishment of the guidelines. On the basis of

such evidence or other available information, the Regional Administrator (or the State) will make a written finding that such factors are or are not fundamentally different for that facility compared to those specified in the Development Document. If such fundamentally different factors are found to exist, the Regional Administrator or the State shall establish for the discharger effluent limitations in the NPDES permit either more or less stringent than the limitations established herein, to the extent dictated by such fundamentally different factors. Such limitations must be approved by the Administrator of the Environmental Protection Agency. The Administrator may approve or disapprove such limitations, specify other limitations, or initiate proceedings to revise these regulations.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best practicable control technology currently available:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of finished product		
BOD5	0.00	0.30
TSS	0.70	0.35
Oil and grease	0.20	0.10
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of finished product		
BOD5	0.60	0.30
TSS	0.70	0.35
Oil and grease	0.20	0.10
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

§ 432.153 Effluent limitations guidelines representing the degree of effluent reduction attainable by the application of the best available technology economically achievable.

The following limitations establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a point source subject to the provisions of this subpart after application of the best available technology economically achievable:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of finished product		
BOD5	0.30	0.15
TSS	0.36	0.18
Oil and grease	0.26	0.13
(English units) lb/1000 lb of finished product		
BOD5	0.30	0.15
TSS	0.36	0.18
Oil and grease	0.26	0.13
Milligrams per liter—effluent		
Ammonia	8.0	4.0
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

§ 432.154 [Reserved]

§ 432.155 Standards of performance for new sources.

The following standards of performance establish the quantity or quality of pollutants or pollutant properties, controlled by this section, which may be discharged by a new source subject to the provisions of this subpart:

Effluent characteristic	Effluent limitations: Maximum for any one day	Effluent limitations: Average of daily values for thirty consecutive days shall not exceed—
(Metric units) kg/kkg of finished product		
BOD5	0.60	0.30
TSS	0.70	0.35
Oil and grease	0.20	0.10
Ammonia	0.20	0.50
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	
(English units) lb/1000 lb of finished product		
BOD5	0.60	0.30
TSS	0.70	0.35
Oil and grease	0.20	0.10
Ammonia	0.20	0.10
pH	Within the range 6.0 to 9.0.	
Fecal coliforms	Maximum at any time 400 mpn/100 ml.	

§ 432.156 Pretreatment standards for new sources.

The pretreatment standards under section 307(c) of the Act for a source within the further processing subcategory, which is a user of a publicly owned treatment works (and which would be a new source subject to section 306 of the Act, if it were to discharge pollutants to the navigable waters), shall be the standard set forth in 40 CFR Part 128, except that, for the purpose of this section, 40 CFR 128.121, 128.122, 128.132, and 128.133 shall not apply. The following pretreatment standard establishes the quantity or quality of pollutants or pollutant properties controlled by this section which may be discharged to a publicly owned treatment works by point source subject to the provisions of this subpart.

Pollutant or pollutant property:	*Pretreatment standard*
BOD5	No limitation.
TSS	Do.
Oil and grease	Do.
pH	Do.
Fecal coliform	Do.

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